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BEFORE THE ARIZONA CORPORATION COMMISSION
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COMMISSIONERS

JEFF HATCH-MILLER, Chairman
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2006 APR 19 A 11:44

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF QWEST CORPORATION'S
APPLICATION FOR ARBITRATION
PROCEDURE AND APPROVAL OF
INTERCONNECTION AGREEMENTS WITH
AZCOM PAGING, INC., HANDY PAGE,
ANSWERPHONE INC., GLEN CANYON
COMMUNICATIONS INC., NEXTEL WEST
CORP., TELE-PAGE, INC., WESTSKY
WIRELESS, L.L.C. AND PURSUANT TO
SECTION 252(B) OF THE COMMUNICATIONS
ACT OF 1932, AS AMENDED BY THE
TELECOMMUNICATIONS ACT OF 1996, AND
THE APPLICABLE STATE LAWS.

DOCKET NO. T-01051B-06-0175
DOCKET NO. T-02556A-06-0175
DOCKET NO. T-03693A-06-0175

PROCEDURAL ORDER

BY THE COMMISSION:

On March 17, 2006, Qwest Corporation ("Qwest") filed with the Arizona Corporation Commission ("Commission") an application and approval of interconnection agreement with AzCom Paging, Inc., Smith Bagley Inc., Handy Page, AnswerPhone Inc., Star Page Inc., Glen Canyon Communications Inc., Nextel West Corp., Western Wireless Corporation, Tele-Page, Inc., Westsky Wireless, L.L.C. and Pac West Telecomm Inc. (collectively "Carriers").

Pursuant to the Act, the Commission must act on the request within 120 days, in this case, by July 11, 2006.

On March 29, 2006, a procedural conference was held as scheduled. The only parties that appeared at the procedural conference were Qwest and Handy Page. According to Qwest's counsel and Handy Page's representative, Western Wireless Corporation, Smith Bagley, Inc., and Handy Page are currently dealing with Qwest, whether to negotiate or to determine whether an interconnection agreement is possible based on the services provided by the companies in Arizona.

1 Qwest stated that the remaining parties¹ have failed to respond to Qwest's attempt to
2 negotiate. Pursuant to 47 USC § 251(c)(1), the parties in this matter have a duty to negotiate in good
3 faith with one another the particular terms and conditions of agreements to fulfill the duties
4 prescribed in 47 USC § 251(b).

5 Pursuant to 47 USC § 252(b)(3), non-petitioning parties have until the 25th day after the
6 Commission receives the petition to respond to the filing. In this case, the Carriers are the non-
7 petitioning parties and have until April 11, 2006 to file a response to Qwest's Application.

8 After the procedural conference on March 29, 2006, a second procedural order was issued
9 ordering the non-petitioning parties to file a response in this docket no later than April 11, 2006.

10 On April 11, 2006, Wayne Markis of Handy Page filed a Memorandum of Current Status of
11 Negotiations with Qwest, indicating that negotiations are not proceeding as Handy Page would like.
12 Qwest filed an Amendment to its Application for Arbitration Procedure and approval of
13 Interconnection Agreement, Deleting Pac West Telecomm, Inc., Western Wireless Corporation,
14 Smith Bagley Inc., and Star Page Inc. Qwest stated that Pac West Telecomm Inc. and Western
15 Wireless Corporation represented that they have no Wireless Type 1 service, and no paging service,
16 requiring interconnection with Qwest in the State of Arizona. Qwest stated that Smith Bagley Inc.
17 and Star Page Inc. have signed, or are in the process of signing and returning, interconnection
18 agreements to Qwest, which Qwest will file with the Commission for approval under Section 252 of
19 the Telecom Act.

20 IT IS THEREFORE ORDERED that a **Procedural Conference** to discuss the appropriate
21 way to proceed with this application, including potential hearing dates, shall be scheduled for **May 4,**
22 **2006, at 10:00 a.m.**², at the offices of the Commission, 1200 West Washington Street, Phoenix,
23 Arizona.

24 IT IS FURTHER ORDERED that the caption of the proceeding shall be amended to remove
25 Pac West Telecomm Inc., Western Wireless Corporation, Smith Bagley Inc. and Star Page Inc.

26
27 ¹ Azcom Paging, Inc., Answerphone Inc., Star Page Inc., Glen Canyon Communications Inc., Nextel West Corp., Tele-
Page, Inc., Westsky Wireless, L.L.C. and Pac West Telecomm Inc.

28 ² For parties who wish to attend telephonically, the call-in number for this conference is: 602-542-9001.

1 IT IS FURTHER ORDERED that the costs to transcribe the proceedings shall be borne
2 equally by Qwest and the Carriers.

3 IT IS FURTHER ORDERED that all parties must comply with Rule 33(c) and (d) of the
4 Rules of the Arizona Supreme Court with respect to practice of law and admission *pro hac vice*.

5 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
6 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
7 Rules of Arizona Supreme Court). Representation before the Commission includes the obligation to
8 appear at all hearings and procedural conferences, as well as all Open Meetings for which the matter
9 is scheduled for discussion, unless counsel has previously been granted permission to withdraw by
10 the Administrative Law Judge or the Commission.

11 IT IS FURTHER ORDERED that the Arbitrator may rescind, alter, amend, or waive any
12 portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

13 Dated this 19 day of April, 2006

14
15
16 
17 AMY BJELLAND
18 ARBITRATOR

19 Copies of the foregoing mailed/delivered
20 this 19 day of April, 2006 to:

21 Norman Curtright
22 Qwest Corporation
23 4041 N. Central Avenue, Ste. 1100
24 Phoenix, AZ 85012

25 Answerphone, Inc.
26 1009 W. 16th Street
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28 Gerard R. O'Meara
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Jerry L. Smith
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Glen Canyon Communications, Inc.
**Via First Class Mail
and Certified Mail,
Return Receipt Requested**

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2338 W. Royal Palm Road, Ste. J
Phoenix, AZ 85021

Nextel West Corporation
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Phoenix, AZ 85012
Pac-West Telecomm, Inc.

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4 Attorneys for Smith Bagley, Inc.

5 Tyler W. Hager
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11 Prescott, AZ 86301
12 Tele-Page, Inc.

13 Prentice-Hall Corp. System
14 2338 W. Royal Palm Road, Ste. J
15 Phoenix, AZ 85021
16 Western Wireless Corporation


17 Melody Markis
18 Wayne Markis
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20 Tempe, AZ 85282
21 Handy Page

22 Joseph Montierth
23 2250 S. Montierth Lane
24 Safford, AZ 85546
25 Westsky Wireless, LLC

26 Christopher Kempley, Chief Counsel
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By: 
Molly Johnson
Secretary to Amy Bjelland